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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,841	08/28/2001	Christian Maierhofer	112740-221	4754

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BELL, BOYD & LLOYD, LLC
P. O. BOX 1135
CHICAGO, IL 60690-1135

EXAMINER

NGUYEN, BINH QUOC

ART UNIT PAPER NUMBER

2664

DATE MAILED: 06/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/856,841	Applicant(s) MAIERHOFER, CHRISTIAN	
	Examiner Binh Q. Nguyen	Art Unit 2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/25/1998.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-9 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>05/25/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 5 is objected because of the following informalities: Claim 5 is a dependant of any one of claims 1-4; however, claims 1-4 have been canceled as indicated in the preliminary amendment, page 10, lines 21-22. Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claim 6-9** are rejected under 35 U.S.C. 102(e) as being anticipated by **Bhatia et al** the Patent No. (US 6,118,768), hereinafter referred to as **Bhatia**.

Regarding claim 6; Bhatia teaches an ISDN network, comprising:

a public exchange (*see Fig. 1, col. 10, lines 42-53 "PSTN 50 means public exchange"*);

a plurality of switching centers (*see Fig. 1, col. 10, lines 42-53 ISDN router 305 means switching center, and see 75 of Fig. 1 "to analog telephone device (e.g. DTE)" means plurality of switching centers can connect via the public exchange*) connected via the public exchange, each of the plurality of switching centers including a switching network (*see Fig. 1, col. 14, lines 19-20 Ethernet hub 340 means switching network*) and a

coordination processor with user programs (*see Fig. 3 col. 14, lines 14-19 CPU means coordination processor with user programs*);

a plurality of data-compatible terminals (*see Fig. 1, col. 3, lines 26-, and 28col. 29, lines 1-3 DTEs mean plurality of data-compatible*) formed of computers with ISDN cards (*see Fig. 1, col.2, lines 15-21 "network interface card" means ISDN card*), each of the plurality of data-compatible terminals being connected to one of the plurality of switching centers (*see Fig. 1*), such that data exchange is allowed between the plurality of data-compatible terminals and the coordination processors as defined by the user programs (*see Fig. 4B*);

a hardware platform installed in at least one of the plurality of switching centers (*see Fig. 4B, col.31, lines 42-47, Domain Name System (DNS) server means hardware platform*), the hardware platform being assigned a unique call number (*see Fig. 2A-C, col.31, lines 42-47, and col.12, lines 1-9 "IP address means unique call number")* throughout the ISDN network; and

a direct bus connection provided between the hardware platform and the associated coordination processor (*see Fig. 3, col.15, lines1-18, bus 390 means direct bus*) ;

wherein the hardware platform implements the data exchange traffic with the plurality of data-compatible terminals via B channels (*see col. 33, lines 33-42*), and the coordination processors are configured in conjunction with the user programs (*see col. 15, lines 20-24*) to dial up the plurality of data compatible terminals directly via a subscriber call number (*see col. 30, lines 57-67*).

Regarding claim 7; *Bhatia* teaches an ISDN network as claimed in claim 6, wherein the hardware platform is configured to support the data traffic with one of the plurality of data compatible terminals via two B channels (*see col. 33, lines 33-42*).

Regarding claim 8; *Bhatia* teaches an ISDN network as claimed in claim 6, wherein the unique call number assigned to the hardware platform is a non-dialable call number (*see Fig. 2A-C, col.31, lines 42-47, and col.12, lines 1-9 "IP address means unique call number which is a non-dialable call number")*).

Regarding claim 9; *Bhatia* teaches an ISDN network as claimed in claim 6, wherein the hardware platform is directly connected to ports of a line trunk group (*see Fig. 1, col.10, lines 42-49, ports 25 means ports of a line trunk group*).


Contact Information


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh Q. Nguyen whose telephone number is 571-272-8563. The examiner can normally be reached on M-F: 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully submitted,

By: 
Binh Q. Nguyen
Patent Examiner
06/09/2005


WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER